

REMARKS

Claims 1-28 are pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the remarks contained herein.

DOUBLE PATENTING

Claims 1 and 10 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of copending Application No. 10/671,203 and claim 1 of copending Application No. 10/671,204. As the rejections are provisional, Applicants elect to defer responding to the rejection until copending Application Nos. 10/671,203 and 10/671,204 have been patented.

REJECTION UNDER 35 U.S.C. § 102

Claims 1-28 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Bloch et al (U.S. Pat. No. 6,922,408 B2) ("Bloch"). This rejection is respectfully traversed.

Applicants respectfully submit that the Bloch reference fails to teach or suggest "placing the plurality of receiver buffers into the free buffer pool **as the packet is transmitting out** of the plurality of receiver buffers" as provided for by independent claims 1, 10 and 19 (emphasis added).

In the Office Action, the Examiner states that Bloch discloses this limitation at column 3, lines 49-53 (See Office Action, pg. 6). Applicants respectfully disagree. This portion of Bloch discloses the allocation of "credits" and returning credits to a "pool of

credits" (Bloch, col. 3, lines 49-53). Furthermore, the Bloch reference repeatedly makes clear that any redistribution of credits occurs **after** data has been transferred out of a buffer:

- "redistributing the allocated credits, **after** releasing the data,..."
- "FIG. 5 is a flow chart that schematically illustrates a method for reallocation of credits in receive queues 28 **after** a data packet has passed out of buffer 25..."
- "**After** passing on the [data] packet, ... [n]ow the credit is returned to the shared pool..."

(See Bloch, col. 3, lines 32-33; col. 8, lines 13-15; col. 8, lines 22-31 (emphases added)).

In contrast, the claims state that the placing of the plurality of receiver buffers into the free buffer pool occurs **as the packet is transmitting out** of the plurality of receiver buffers. This has many advantages; as stated in the Application:

In an embodiment, plurality of receiver buffers 322 occupied by packet 325 are placed into free buffer pool 330 by link receiver flow control algorithm 328 as packet 325 is transmitting out of plurality of receiver buffers 322 (i.e. early buffer return). The placing of plurality of receiver buffers 322 means that a count is taken of plurality of receiver buffers 322. In other words, as packet 325 is being transmitted out plurality of receiver buffers 322, all of plurality of receiver buffers 322 occupied by packet 325 are placed in free buffer pool 330. This has the effect of giving link transmitter 302 "advanced notice" of the empty portion of plurality of receiver buffers 322. This has the advantage of placing the plurality of receiver buffers 322 occupied by packet 325 back into free buffer pool 330 as soon as possible so that link transmitter 302 can obtain the corresponding additional data credits 334 as soon as possible and begin transmitting more packets 325, thereby making the most efficient use of the bandwidth of ingress link 310, particularly forward link 312. This also reduces the round trip time between link transmitter 302 transmitting packet 325 and link receiver 304 transmitting flow control packet 332, thereby reducing the amount

of plurality of receiver buffers 322 required to achieve and maintain full ingress link utilization.

(Application, pg. 8, line 19 to pg. 9, line2). To the extent that it discloses placing the plurality of receiver buffers into a free buffer pool at all, the Bloch reference does so only ***after*** the data has been passed out of the buffer, and not "***as the packet is transmitting out***" as provided for by claims 1, 10 and 19.

For the reasons discussed above, Applicants respectfully submit that independent claims 1, 10 and 19 are patentable over the cited reference. As claims 2-9, 11-18 and 20-28 ultimately depend upon and include the limitations of one of the independent claims, Applicants submit that these claims are also patentable over the cited reference for the same reasons. Applicants request that the rejections under Section 102(e) be withdrawn.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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